

REMARKS

Claims 1-4, 6-13, and 15-24 are pending. Claims 1, 10, 18, 19, and 24 have been amended. Claims 5 and 14 have been cancelled. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph. Specifically, claim 1 was rejected because of a typographical error. Applicants have amended claim 1 to recite --of an intended recipient--. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-4, 10-13, and 18 were rejected under 35 U.S.C. § 102(e) over Stanbach, Jr. et al. (U.S. Patent No. 6,449,657) (Stanbach). Applicants respectfully traverse this rejection.

Claims 1, 10 and 18 have been amended to include the same subject matter which appeared in claims 5 and 14, now cancelled and therefore, claims 1, 10, and 18 are allowable over Stanbach.

Claims 3-4 and 11-13 are believed allowable for at least the same reasons presented above with respect to claims 1 and 10 by virtue of their dependence upon claims 1 and 10. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 103

A. Claims 5-9 and 14-17 were rejected under 35 U.S.C. § 103(a) over Stanbach in view of Gough et al. (U.S. Patent No. 6,360,221) (Gough). Applicants respectfully traverse this rejection with respect to claims 6-9 and 15-17 and also with respect to claims 1 and 10 which now include the subject matter of claims 5 and 14, now cancelled.

Claims 1 and 10 (and 18) each recite, in part, a mail server which includes an addition refusal information memory, operable for storing addition refusal information which specifies a mail address of a recipient that refuses the addition of the advertisement according to the recipient's intention and an addition controller for stopping the addition of the advertisement information by the advertisement information adding portion to the mail, in a case where the mail address specified by the addition refusal information is the mail address of the recipient of the mail. As admitted in the July 31, 2003 Office Action, Stanbach does not teach an addition refusal information memory or an addition controller for stopping the addition of an

advertisement. The Office Action alleges that this feature is disclosed by Gough. Applicants respectfully disagree.

Gough merely discloses an e-mail system where users can sign up for a free or a paid membership. To generate revenue, Gough teaches that free members will have an advertising sponsored e-mail service with hyperlinks to advertisers web pages. Additionally, Gough teaches that paid memberships may eliminate such advertising (column 6, lines 12-35). In the system of Gough, the user of the e-mail system does not have an option, based on the user's intentions, rather, the advertisements are entirely controlled by the service provider. Accordingly, Gough fails to teach or suggest allowing a user the option of stopping advertisements based on the user's intention. Accordingly, no combination of Stanbach and Gough teaches or suggests a mail server which includes an addition refusal information memory, operable for storing addition refusal information which specifies a mail address of a recipient that refuses the addition of the advertisement according to the recipient's intention and an addition controller for stopping the addition of the advertisement information by the advertisement information adding portion to the mail, in a case where the mail address specified by the addition refusal information is the mail address of the recipient of the mail, as recited in claims 1 and 10.

Claims 6-9 and 15-17 are allowable for at least the same reasons presented above with respect to claims 1 and 10 by virtue of their dependence upon claims 1 and 10 and because Gough does not remedy the deficiencies of Stanbach discussed above. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

B. Claims 19-23 were rejected under 35 U.S.C. § 103(a) over Stanbach in view of Gough and Moraes (U.S. Patent No. 6,014,502). Applicants respectfully traverse this rejection.

Claim 19 is allowable for at least the same reasons presented above with respect to claims 1 and 10 because no combination of Stanbach and Gough teaches or suggests a mail server allowing a user the option of stopping advertisements and Moraes does not remedy at least this deficiency.

Claims 20-23 are allowable for at least the same reasons presented above with respect to claim 19 by virtue of their dependence upon claim 19. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

C. Claim 24 was rejected under 35 U.S.C. § 103(a) over Gough in view of Moraes and Stanbach. Applicants respectfully traverse this rejection.

Claim 24 is allowable for at least the same reasons presented above with respect to claims 1, 10, 18, and 19 because no combination of Stanbach, Gough and Moraes teaches or suggests a mail server allowing a user the option of stopping advertisements.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

In view of the foregoing, the claims are now in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975 under Order No. 7874/265486. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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